

OGC HAS REVIEWED.

Approved For Release 2001/08/29 : CIA-RDP78-04722A000200010043-8

SECRET

SSA/DDS #70-1838

*Support Chief
Folder Phone -*

OGC 70-1457

24 August 1970

MEMORANDUM FOR: Deputy Director of Personnel

SUBJECT: Reimbursement or Advance Payment of
Travel and Transportation Expenses
of Retirees

25X1A

25X1A

1. You have asked our opinion with regard to the following fact situation. [REDACTED] moved his household effects to [REDACTED] in June 1969 in anticipation of his retirement in June 1970. At the time the effects were moved, he was not a member of the CIA Retirement System. He was a member when he retired however. He has now requested reimbursement for the \$753.67 incurred as moving costs upon retirement.

25X1A

2. It is our opinion that [REDACTED] request for reimbursement of the cost of moving his household effects in June 1969 must be denied for several reasons. While there is no logical reason for not allowing advance shipment of household effects in retirement cases, the period between shipment and actual retirement must be a reasonable one. Also, reimbursement for advance shipment may not be authorized without a valid travel order at the time of shipment. [REDACTED] was ineligible to be reimbursed for the cost of shipping his effects at the time he actually shipped them. Therefore, a valid travel order authorizing such shipment could not have been written. The Comptroller General has long held that authorization for shipment of household effects must be extant before shipping the goods and completing the travel. (See 27 Comp. Gen. 128).

25X1A

25X1A

3. The answers to your specific questions are the following. The authority in [REDACTED] may not be used to pay [REDACTED] claim. There would be no legal objection to the Agency's reimbursing a

25X1A

Approved For Release 2001/08/29 : CIA-RDP78-04722A000200010043-8

SECRET

GROUP 1
Excluded from automatic
downgrading and
declassification

retiring employee for shipping his household effects before his retirement if authorized in the travel order and if the shipment of the effects could be reasonably related to his retirement (time and destination being the only material factors). If a valid travel order issues, there would be no legal objection to a travel advance. Care should be exercised, however, in being certain the employee realizes that if he does not retire as scheduled in the travel order, he must repay the advance.

4. Your questions in subparagraph 3d of your memorandum concerning observing maximum time periods and requiring a repayment agreement are matters of policy. We would certainly pose no legal objection to such procedures. Finally, if the employee dies before retirement but after shipping the goods and the Agency could not employ other travel benefits arising because of his death for shipping the goods, the Agency would then be required to treat the advance for such shipment to his retirement point in the same way as any other accountable sum owed by a deceased employee.

25X1A

Assistant General Counsel

Att
Background Papers

SECRET